

REMARKS

The Office Action of August 22, 2008, has been carefully considered.

Claims 42-43, 47-48 52 and 54 have been rejected under 35 USC 102(b) over Snowden.

At page 9 of the Office Action, it is alleged that Snowden "discloses mixing steam and water in the steam header-at 46, and then applying the supersaturated mixture to a slaughter animal carcass as seen in column 5 lines 10-33." What has been disclosed by Snowden is the injection of water into steam header 46 to "desuperheat or supersaturate" the steam, as disclosed in serial no. 831,964, corresponding to US 3,631,563.

In the Snowden '563 reference, there is a disclosure of mixing steam and water with reference to the description of Figure 8 at column 8, line 50 through column 9, line 2. In this description, Snowden states that a supply of tap water is provided to the steam flow via a hose 132 in order to prevent the steam from becoming superheated and dry. By selectively introducing water into the steam line, the steam becomes supersaturated. However, the water is introduced into the steam far upstream of the spray nozzles.

Apparatus Claim 27 has now been amended to specifically recite the nozzle structure by which the water is introduced into the steam, as disclosed in the specification beginning at page 9, line 16, with respect to the description of Figures 3a and 3b. Thus, the nozzle comprises a first opening for steam connected with an annular space within a housing of the nozzle, the annular space surrounding a flow channel connected with a second opening for water, with the flow channel having an opening by which water is aspirated into a flow of steam passing the second opening. The aspirated water forms an aerosol which is sprayed with the steam.

In addition, Claim 27 recites that the plurality of

multicomponent nozzles are stationary nozzles.

Method Claim 42 has been amended in a similar manner to recite that the mixture of steam and water is formed by aspirating water into a flow of steam to form a water aerosol in each of a plurality of stationary multicomponent nozzles arranged in a base area of the scalding tunnel. Claim 42 has also been amended to recite that the mixture of steam and water discharged from the nozzles is directed opposite to the direction of conveyance of the animals.

A new Claim 55 has been added to the application, specifically reciting that the slaughtered animals are pigs or goats, the specific animals exemplified in this application and Claim 54 has been amended to correct the dependency to Claim 42.

Snowden does not disclose or suggest the claimed arrangement in which nozzles are constructed such that water is aspirated into the steam to form an aerosol of water droplets in the steam which is sprayed onto the animal carcasses. Snowden does disclose mixing water with the steam, but far upstream of the nozzles, in an arrangement which would not produce a mixture of water and steam to be sprayed, but rather supersaturated or "moist" steam. Multicomponent nozzles are not disclosed by Snowden, but rather, each nozzle is designed to spray only one component, either steam or water.

In addition, the nozzles of the invention are stationary nozzles, whereas Snowden discloses oscillating pipes within the housing, for example at column 5, lines 30-32.

Finally, Snowden does not disclose discharging the mixture of steam and water from the nozzles in a direction opposite to the direction of conveyance of the animal carcasses, and does not disclose or suggest treating the carcasses of pigs or goats.

Withdrawal of this rejection is requested.

Claims 27-35, 37 and 39 have been rejected under 35 USC 103(a) over Snowden in view of Schrader et al. Schrader et al has been cited to show a nozzle used for processing hogs which is a multicomponent nozzle having connections to multiple fluid sources.

Schrader et al, however, relates to a method and an apparatus for delivering an aqueous stain-removing solution to an oral cavity of the hog for removing ingesta staining. The apparatus is clearly not meant for scalding pigs or goats, and is not suitable for this purpose. In order to remove the staining, an aqueous solution is filled into the oral cavity which comprises an oxygen bleaching agent, especially a mix of hot water and sodium percarbonate. Liquid is not atomized into steam and the nozzle is not constructed as described in amended Claim 27.

Moreover, the nozzle originates from a handle 30 in order to allow a desired orientation toward the slaughtered animal and is not a stationary nozzle.

Since Snowden teaches spraying either water or steam through each of the nozzles, and only discloses mixing steam with water well upstream of the nozzles, there is no reason why one of ordinary skill in the art would use the nozzles of Schrader et al, especially since the nozzles of Schrader et al are not intended for scalding slaughtered animals. Moreover, such a combination of references will not result in stationary nozzles as are presently claimed and would not result in nozzles arranged essentially in the base area of the scalding tunnel and further would not disclose or suggest emitting or water in a direction opposite to the transport direction of the animals, with Snowden disclosing in Figure 7, for example, emitting water and steam in a direction perpendicular to the transport direction.

Thus, the Snowden and Schrader et al references do not disclose or suggest the invention as claimed, and withdrawal

of this rejection is requested.

Claim 36 has been rejected under 35 USC 103(a) over Snowden and Schrader et al and further in view of Wilson et al, with Wilson et al being cited to show not all of the nozzles being connected to a control valve. Wilson et al does not, however, cure the defects of Snowden and Schrader et al and withdrawal of this rejection is requested.

Claim 38 has been rejected under 35 USC 103(a) over Snowden and Schrader et al and further in view of Norrie. Norrie discloses a scalding tunnel without ventilators, but does not otherwise cure the defects of Snowden and Schrader et al and withdrawal of this rejection is requested.

Claims 40-41 have been rejected under 35 USC 103(a) over Snowden and Schrader et al in further view of Figure 11 of Snowden, which shows a nozzle of variable angle. It is noted once again, however, that the nozzles of the invention are stationary, such that Figure 11 of Snowden does not suggest the invention and withdrawal of this rejection is requested.

Claims 44-46 and 51 have been rejected under 35 USC 103(a) over Snowden in view of Wilson et al, which has been cited to show a steam temperature above 100°C. Wilson et al, however, does not cure the defects of Snowden and withdrawal of this rejection is requested.

Claim 49 has been rejected under 35 USC 103(a) over Snowden in view of Norrie, and Applicant requests withdrawal of this rejection for the reasons cited above with respect to Claim 38.

Claim 50 has been rejected under 35 USC 103(a) over Snowden as applied to Claim 42, and Applicant submits that Claim 50 is patentable for the reasons discussed with respect to Claim 42.

Claim 53 has been rejected under 35 USC 103(a) as obvious over Snowden as applied to Claim 42, and Applicant once again submits that Claim 53 is patentable for the reasons discussed

with respect to Claim 42.

Withdrawal of this rejection is requested.

In view of the foregoing amendments and remarks, Applicant submits that the present application is now in condition for allowance. An early allowance of the application with amended claims is earnestly solicited.

Respectfully submitted,



Ira J. Schultz
Registration No. 28666
Attorney for Applicant
(703) 837-9600, ext. 23